



07-01-04

AF/1644-77
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Gately and Presky Confirmation No.: 2369
Serial No.: 09/652,282 Art Unit: 1644
Filed: August 30, 2000 Examiner: Jessica H. Roark
For: ANTIBODIES AGAINST HUMAN IL-12 Attorney Docket No.: 11126-006-999

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Mail Stop AF
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated December 31, 2003 of the Primary Examiner finally rejecting claims 15-20 and 37-40 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time for responding to the final rejection for three (3) month(s):
 was filed on
 is submitted herewith.
2. A timely response to the final rejection has been filed.
3. A fee in the amount of \$330.00 is:
 Required.
 Not required (Fee paid in prior appeal).
4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$165.00 is:
 Required.
 Not required (Fee paid in prior appeal).
5. Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: June 30, 2004

Thomas E. Friebel

Thomas E. Friebel

JONES DAY

222 East 41st Street

New York, New York 10017

by William Blum
REG. NO. 40,203 29,258

(Reg. No.)

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